

JUDGE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

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|---------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, |) | No. CR16-131-TSZ |
| |) | |
| Plaintiff, |) | |
| |) | ORDER GRANTING |
| v. |) | STIPULATED MOTION TO |
| |) | CONTINUE TRIAL AND PRETRIAL |
| BRETT MICHAEL LOSEY, |) | MOTIONS DUE DATE |
| |) | |
| Defendant. |) | |

THE COURT has considered the stipulated motion of the parties to continue the trial date and pretrial motions deadline and finds that:

(a) taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny counsel for the defendant the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv); and

(b) a failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i); and

(c) the additional time requested is a reasonable period of delay, as the defendant has requested more time to prepare for trial, to investigate the matter, to gather evidence material to the defense, and to consider possible defenses; and

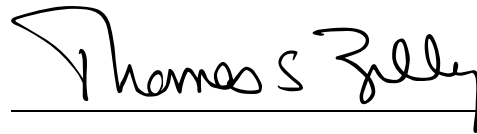
1 (d) the ends of justice will best be served by a continuance, and the ends of
2 justice outweigh the best interests of the public and the defendant in any speedier trial,
3 as set forth in 18 U.S.C. § 3161(h)(7)(A); and

4 (e) the additional time requested between the current trial date of August 29,
5 2016, and the new trial date is necessary to provide counsel for the defendant the
6 reasonable time necessary to prepare for trial, considering counsel's schedule and all of
7 the facts set forth above.

8 (f) that the period of delay from the date of this order to the new trial date is
9 excludable time pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B)(iv).

10 IT IS THEREFORE ORDERED that the trial date in this matter shall be
11 continued to November 14, 2016, and that pretrial motions shall be filed no later than
12 September 21, 2016.

13 DONE this 28th day of July, 2016.

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16 Thomas S. Zilly
17 United States District Judge

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19 Presented by:

20 s/ *Greg Geist*
21 Assistant Federal Public Defender
22 Attorney for Brett Losey
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